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**Mann, Itamar. 2016. *Humanity at Sea: Maritime Migration and the Foundations of International Law*. New York: Cambridge University Press. 244 pages. £69.99.**

Men reduced to bare life, adrift at sea on a flagless vessel, plagued by hunger and thirst. Am I responsible for these men? Do I have a duty to rescue them? Beyond rescue, do I have a duty to offer them at least the possibility of a life worth living? Do these men have rights? Can there be any rights on a flagless vessel, without a state guaranteeing them? If not, the idea of human rights can be discarded as "but a wishful thought" (p. 27), a polite fancy of the privileged. As long as sovereignty remains the exclusive source of rights - both in the social contract of a political community and in the instruments of transnational governance, human rights law can only give people "something they already have - which happens to be nothing at all" (p. 30).

In his book *Humanity at Sea*, Itamar Mann explores what the above questions can tell us about the nature of human rights law and legality in general. Mann's narrative unfolds, deliberately, in what international law designates as "the high seas." The absence of sovereign control in the high seas simulates a global, ever-present state of nature in which men look to each other, and not to an absent sovereign, when they demand that their basic rights be enforced. Mann uses this simulated proto-political position to demonstrate that duties (and thus legality) exist independent of the sovereign state and spring up among fellow seafarers upon their physical (or even imagined) encounter with others equally bereft of sovereign protection. The "human rights encounter," as Mann calls it, forms (together with sovereignty) the dual foundation of international law. In the realm of human rights law properly understood, this encounter is, indeed, the true source of human rights. It raises thin but firm duties toward the stranger that stem from the mere fact of shared humanity - from the bare life of humans as such.

This phenomenological account of the experience of human rights mercilessly confronts the reader with the "universal boatperson" at the centre of Mann's narrative. This is not the nameless child whose death at sea smites our conscience and pushes us toward photogenic charity. The universal boatperson makes no apologies for the embarrassment we experience at her bare life. The universal boatperson makes a demand: "you, and no one else, will decide if I will have a life worth living" (p. 48). Encountering - or imagining - the universal boatperson puts me, the fellow traveller, the border guard, the human, in charge of deciding what rule to apply: let someone board a deck, cross a border, or let someone die. Upon encounter, I am no longer freed of responsibility toward the stranger.

The experiential power of this perspective allows Mann to convincingly build an argument not only for the duty of rescue and non-refoulement – sustaining bare life neatly tucked away out of sight, in camps built in lip service to the letter of human rights obligations – but also for freedom: opening political communities to non-members to allow strangers at least the possibility of a life worth living. No rescue is complete, he argues, without freedom. The debt of those who live in a functioning political community to those whom they have excluded through their constitutive act of violence could not be repaid otherwise.

Over six chapters, Mann leads the reader to this conclusion, introducing her to six stories of migration at sea: a group of displaced Jews who sought unsuccessfully to reach Palestine clandestinely sailing off from Marseille in 1947; the Indochinese "boat people" who fled the lawless panic following the 1975 reunification of Vietnam; the Haitian political asylum-seekers "invading" the United States in the 1970s and 1980s; the 2001 *Tampa* rescue of Afghani migrants and the ensuing "Pacific solution" Australia dealt to off-shore entry persons in its territorial waters; the 2011 "left-to-die" boat intercepted but not rescued by

Italian military and civilian boats off the coast of Libya; and EU asylum managerialism at the height of the migrant crisis in 2015 and 2016.

Mann's narrative is gripping. He navigates skilfully the historical accounts of maritime migration crises and the legal solutions conceived in response, interweaving a rich political theory discussion of the meaning of human rights claim and commitment, personal and territorial jurisdiction, foundational violence, inequality, the physical (now meticulously surveyed) space of the human rights encounter, and its rhetorical imaginary. The narrative is constantly sustained - or challenged! - by a concurrent discussion in the detailed, candid footnotes which capture the reader's attention without diverting it from the narrative.

It is hard to disagree with Mann's argument of the encounter as a choice between human rights duty and no rights at all, partly because he convinces the reader of her personal stake in this choice. Where his argument appears a little rushed is in trying to translate his ideas to a wider theory of international law. This is somewhat acknowledged in the conclusion but remains open as an ambitious suggestion for the proper direction of legal thinking, rather than as an omission of this book.

*Dr Nevena Nancheva*  
*Department of Politics, International Relations and Human Rights*  
*Kingston University London*